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**BEFORE THE ARIZONA REGULATORY BOARD
OF PHYSICIAN ASSISTANTS**

In the Matter of

JEFFREY T. MIKESELL, P.A.

Holder of License No. **4233**
For the Performance of Healthcare Tasks

In the State of Arizona.

Case No. PA-10-0028A

**INTERIM ORDER FOR PRACTICE
RESTRICTION AND CONSENT TO
SAME**

CONSENT AGREEMENT

Jeffrey T. Mikesell, P.A. ("Physician Assistant") elects to permanently waive any right to a hearing and appeal with respect to this Interim Order for Practice Restriction; admits the jurisdiction of the Arizona Regulatory Board of Physician Assistants ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of Physician Assistants in the State of Arizona.

2. Physician Assistant is the holder of license number 4233 for the performance of health care tasks in the State of Arizona.

3. On April 14, 2009, Physician Assistant entered into a Stipulated Rehabilitation Agreement ("SRA"). The SRA provided that in the event of a chemical dependency relapse, Physician Assistant would enter into an Interim Consent Agreement for Practice Restriction that requires, among other things, that Physician Assistant not perform health care tasks until such time as Physician Assistant successfully completes a long-term inpatient or residential treatment program for chemical dependency. On April 1, 2010, the Board's Addiction Medicine Contractor (AMC) notified the Board that on March 27, 2010, Physician Assistant's biological fluid test was positive for zolpidem (Ambien) which he

1 obtained from the sample closet at the workplace and was not prescribed to him. The
2 AMC stated this violation of his SRA represents a chemical dependency relapse and
3 Physician Assistant is not safe to perform health care tasks until he successfully completes
4 long term residential treatment.

5 **CONCLUSIONS OF LAW**

6 1. The Board possesses jurisdiction over the subject matter hereof and over
7 Physician Assistant.

8 2. The Executive Director has authority to enter into this consent agreement to
9 restrict the Physician Assistant's practice based upon evidence of danger to the public
10 health and safety pursuant to A.R.S. § 32-2505(C)(23).

11 **ORDER**

12 IT IS HEREBY ORDERED THAT:

13 1. Physician Assistant's practice is restricted in that he shall not perform health
14 care tasks in the State of Arizona and is prohibited from prescribing any form of treatment
15 including prescription medications until Physician Assistant applies to the Board and
16 receives permission to do so. The Board may require any combination of staff approved
17 assessments, evaluations, treatments, examinations or interviews it finds necessary to
18 assist in determining whether Physician Assistant is able to safely resume such practice.

19 2. This is an interim order and not a final decision by the Board regarding the
20 pending investigative file and as such is subject to further consideration by the Board.

21 DATED this 2ND day of APRIL, 2010.

22 ARIZONA REGULATORY BOARD
23 OF PHYSICIAN ASSISTANTS



By 
Lisa S. Wynn, Executive Director

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CONSENT TO ENTRY OF ORDER

1. Physician Assistant has read and understands this Order for Interim Practice Restriction and Consent to Same and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Physician Assistant acknowledges he has the right to consult with legal counsel regarding this matter.

2. Physician Assistant acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Physician Assistant voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order in its entirety as issued, and waives any other cause of action related thereto or arising from said Order.

4. The Interim Order is not effective until approved and signed by the Executive Director.

5. All admissions made by Physician Assistant are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Physician Assistant. Therefore, said admissions by Physician Assistant are not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

6. Upon signing this Interim Order, and returning this document (or a copy thereof) to the Board's Executive Director, Physician Assistant may not revoke the consent to the entry of the Order. Physician Assistant may not make any modifications to the

1 document. Any modifications to this original document are ineffective and void unless
2 mutually approved by the parties.

3 7. This Interim Order is a public document that will be publicly disseminated as
4 a formal action of the Board and will be reported to the National Practitioner's Data Bank
5 and on the Board's website.

6 8. If any part of the Order is later declared void or otherwise unenforceable, the
7 remainder of the Order in its entirety shall remain in force and effect.

8 9. Any violation of this Order constitutes unprofessional conduct and may result
9 in disciplinary action. A.R.S. § 32-2501(21)(dd) ("[v]iolating a formal order, probation
10 agreement or stipulation issued or entered into by the board or its executive director.") and
11 A.R.S. § 32-2551.

12
13 
14 JEFFREY MIKESELL, P.A.

DATED: 4/2/10

15 EXECUTED COPY of the foregoing mailed
16 this 2nd day of April, 2010 to:

17 Gary Ehlers, P.A.
18 Address of Record

19 ORIGINAL of the foregoing filed
20 this 2nd day of April, 2010 with:

21 Arizona Regulatory Board of Physician Assistants
22 9545 E. Doubletree Ranch Road
23 Scottsdale, AZ 85258

24 
25 Arizona Regulatory Board of
Physician Assistants Staff